



1644

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|---|----|------------------------|----------------------|
| <h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p> | | Application Number | 09/824,906 |
| | | Filing Date | April 2, 2001 |
| | | First Named Inventor | Micheal L. GRUENBERG |
| | | Art Unit | 1644 |
| | | Examiner Name | R. Schwadron |
| Total Number of Pages in This Submission | 10 | Attorney Docket Number | 549172000113 |

| ENCLOSURES (check all that apply) | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (2 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Revised "Attachment to the Preliminary Amendment Marked Up Paragraphs and Claims (37 CFR 1.121)" (7 pages) 2. Return postcard |
| <div style="border: 1px solid black; padding: 5px; text-align: center;"> Customer No. 25225 </div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | MORRISON & FOERSTER LLP Kate H. Murashige - 29,959 |
| Signature | |
| Date | August 15, 2003 |

| | |
|---|----------------------------|
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. | |
| Dated: <u>8/15/03</u> | Signature: (Michael Boyd) |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 8/15/03

Signature:  (Michael Boyd)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Micheal L. GRUENBERG

Serial No.: 09/824,906

Filing Date: April 2, 2001

For: AUTOLOGOUS IMMUNE CELL
THERAPY: CELL COMPOSITIONS,
METHODS AND APPLICATIONS TO
TREATMENT OF HUMAN DISEASE

Examiner: R. Schwadron

Group Art Unit: 1644

RESPONSE TO COMMUNICATION

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to a communication from the Examiner herein, mailed 18 July 2003, time for response to which was set to expire 18 August 2003. Enclosed is a revised "ATTACHMENT TO THE PRELIMINARY AMENDMENT MARKED UP PARAGRAPHS AND CLAIMS (37 CFR §1.121)" (which accompanied the Response mailed 10/5/01) as requested by the Office, that indicates where brackets have been changed to parentheses on pages 28 and 37.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 549172000113.

Respectfully submitted,

Dated: August 14, 2003

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Applicant: Gruenberg, M.

Serial No.: 09/824,906

Conf. No. 9764

Filed: April 2, 2001

For: **AUTOLOGOUS IMMUNE CELL
THERAPY: CELL COMPOSITIONS,
METHODS AND APPLICATIONS TO
TREATMENT OF HUMAN DISEASE**

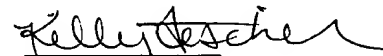
Art Unit: 1644

Examiner: Unassigned

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
Washington, D.C. 20231, on this date.

10/05/01
Date


Kelly Fischer

**ATTACHMENT TO THE PRELIMINARY AMENDMENT
MARKED UP PARAGRAPHS AND CLAIMS (37 CFR §1.121)**

IN THE SPECIFICATION:

Please amend the paragraph on page 11, lines 3-14, as follows;

Therefore, it is an object herein to provide such improved methods. In particular, it is an object herein to provide methods for expanding immune cells for use in adoptive immunotherapy protocols without the use of exogenous IL-2. It is also an object herein to provide methods to generate a large array of cell compositions, including compositions containing regulatory cells, for use in adoptive immunotherapy protocols.

It is an object herein to provide means to produce compositions containing clinically relevant numbers of such cells. [he] The availability of a an array of cell compositions permits the design of adoptive immunotherapy protocols for a wide variety of diseases and immune function alterations. Therefore, it is an object herein to provide methods for treating various disorders and altering immune function.

Please amend the paragraph on page 12, lines 1-8, as follows;

The compositions of regulatory cells provide a means to alter the immunoregulatory balance of a patient, either locally or [sytemically] systemically, by changing the predominant regulatory cell population. Because